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Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/052,664	01/17/2002	Paul David Cannon	ROCH-001DIV

24353  
BOZICEVIC, FIELD & FRANCIS LLP  
200 MIDDLEFIELD RD  
SUITE 200  
MENLO PARK, CA 94025

CONFIRMATION NO. 4008  
FORMALITIES LETTER



\*OC000000007554411\*

Date Mailed: 02/28/2002

CKH  
SPB  
**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

***Filing Date Granted***

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment.

- A substitute specification in compliance with 37 CFR 1.52 because:
  - The specification cannot be scanned or properly stored. Page(s) *03/05/02*
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 10-37 are not in compliance with 37 CFR 1.52(a). *The drawings filed are unacceptable because:*  
*Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.*

**RECEIVED**

MAR 05 2002

Bozicevic, Field & Francis

*Alimad*

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/052,664
Filing Date	January 17, 2002
First Named Inventor	CANNON, PAUL D.
Group Art Unit	1632
Examiner Name	To Be Assigned

Total Number of Pages in This Submission	41	Attorney Docket Number	ROCH001DIV
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### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Response to Notice to File Corrected Application Papers (2 pgs.) 2) Notice to File Corrected Application Papers (1 pg.) 3) Substitute Specification (35 pgs.) 4) Return Postcard
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

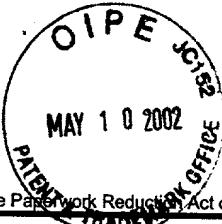
Firm or Individual Name	PAULA A. BORDEN, Reg. No. 42,344
Signature	
Date	April 30, 2002

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 30, 2002.

Typed or printed name	Cindy Kim Hoang	Date	April 30, 2002
Signature			

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PTO/SB/17 (10-01)

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# **FEE TRANSMITTAL for FY 2002**

*Patent fees are subject to annual revision.*

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> <b>110.00</b>
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<b>Complete if Known</b>	
Application Number	<b>10/052,664</b>
Filing Date	<b>January 17, 2002</b>
First Named Inventor	<b>CANNON, PAUL D.</b>
Examiner Name	<b>To Be Assigned</b>
Group Art Unit	<b>1632</b>
Attorney Docket No.	<b>ROCH001DIV</b>

## **METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:  
 Deposit Account Number **50-0815**  
 Deposit Account Name **Bozicevic, Field & Francis LLP**  
 Charge Any Additional Fee Required  
 Under 37 CFR 1.16 and 1.17  
 Applicant Claims small entity status.  
 See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

## **FEES CALCULATION**

2. **BASIC FILING FEE**

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370 Utility filing fee	
106	330	206	165 Design filing fee	
107	510	207	255 Plant filing fee	
108	740	208	370 Reissue filing fee	
114	160	214	80 Provisional filing fee	
<b>SUBTOTAL (1)</b>				<b>0.00</b>

1. **EXTRA CLAIM FEES**

Total Claims	-20**	=	Extra Claims	Fee from below	Fee Paid
Indep. Claims	-3**	=	x	=	
Multiple Dependent		=			

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) \$ 0.00</b>			

*\*\*or number previously paid, if greater; For Reissues, see above.*

## **FEES CALCULATION (continued)**

3. **ADDITIONAL FEES**

Large Entity Fee Code (\$)	Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge – late filing fee or oath	
127	50	227	25 Surcharge – late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examination action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	110.00
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive – unavoidable	
141	1,280	241	640 Petition to revive – unintentional	
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	740	246	370 For each additional invention to be examined (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$ 110.00)**

**SUBMITTED BY**

<b>Complete (if applicable)</b>					
Name (Print/Type)	Paula A. Borden	Registration No. (Attorney/Agent)	42,344	Telephone	(650) 327-3400
Signature			Date	04/30/2002	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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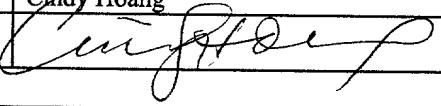
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name	Cindy Hoang		
Signature		Date	April 30, 2002

<b>RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS</b>		Attorney Docket Confirmation No.	ROCH001DIV 4008
Address to: Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231		First Named Inventor	Cannon
		Application Number	10/052,664
		Filing Date	January 17, 2002
		Group Art Unit	1632
		Examiner Name	To Be Assigned
		Title	HUMAN INTESTINAL Npt2B

Sir:

This paper is responsive to the Notice to File Corrected Application Papers dated February 28, 2002 for which a two-month period for response was given making this response due on or before April 28, 2002. A Petition for a One-Month Extension of Time is submitted herewith, making this amendment due on or before May 28, 2002. Accordingly, this response is timely filed.

**I. REMARKS**

The Notice to File Corrected Application Papers stated that pages 10-37 of the specification filed on January 17, 2002 do not comply with the requirements of 37 C.F.R. § 1.52(a), and required a Substitute Specification.

A Substitute Specification in compliance with 37 C.F.R. § 1.52 is filed herewith. The undersigned hereby certifies that the Substitute Specification contains no new matter.

## II. CONCLUSION

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number ROCH001DIV.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: Apr. 30, 2002

By:   
Paula A. Borden  
Registration No. 42,344

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